

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

IN RE HURRICANE SANDY CASES

X  
: 14 MC 41  
:  
X  
:  
:  
:  
:  
:  
X

THIS DOCUMENT APPLIES TO:

Docket No. 2:15-cv-06912-JMA-SIL

(Joseph Barbosa v. The Standard Fire Insurance Company)

**STATUS REPORT AND REQUEST FOR STATUS CONFERENCE**

Plaintiff, Joseph Barbosa, submits this status report in accordance with this Court's Order of June 12, 2017.

The Parties mediated this matter on June 5, 2017 with Richard P. Byrne through the Hurricane Sandy Mediation Program. Present during the mediation were Denis Kelly and Joseph Barbosa for Plaintiff and Tina Kappen, Melanie Neal, Rob Bonka of Colonial Claims, and Paul Burtis of Donan Engineering for Standard Fire. The Parties reached a tentative settlement, subject to FEMA concurrence and other conditions.

On June 14, 2017, Mr. Barbosa instructed Mr. Kelly not to sign or file a Stipulation of Discontinuance, on the grounds that certain issues had not been addressed. On June 19, 2017, Mr. Barbosa received the settlement documents, to which Mr. Barbosa promptly objected, particularly as to the Confidential Release, not previously presented to him, and so advised Ms. Kappen, providing material documents, and offering to mediate directly with her, with Mr.

Kelly's approval. Mr. Barbosa respectfully requests a joint status conference and to be present, if a joint status conference is scheduled.

Dated: June 30, 2017

DENIS G. KELLY & ASSOCIATES, P.C.

By: /s/ Denis G. Kelly

Denis G. Kelly, Esq.

Attorneys for Plaintiff, Joseph Barbosa

74 West Park Avenue

Long Beach, New York 11531

Telephone: (516) 897-0800

[D.Kelly@KellyNYLaw.com](mailto:D.Kelly@KellyNYLaw.com)